

**Notice of Allowability**

Application No.

10/684,229

Examiner

Charanjit S. Aulakh

Applicant(s)

ZHI ET AL.

Art Unit

1625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Paper filed on 30 November 2005.
2. ☒ The allowed claim(s) is/are 2-16, 18-27 and 44-47.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>12/13/05</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>5 pages</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                              | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                                    |
|   | 9. <input type="checkbox"/> Other _____  |

### DETAILED ACTION

1. The Final Rejection is now withdrawn in view of amendment after final filed on Nov. 30, 2005 since it places the application in condition for allowance.
2. According to paper filed on Nov. 30, 2005, the applicants have canceled claims 28 and 30-43 and furthermore, have amended claims 9-11, 14, 15, 25-27 and 44-46.
3. Claims 2-16, 18-27 and 44-47 are now pending in the application.

### EXAMINER'S AMENDMENT

4. The following amendment is pursuant to a telephone conversation with the applicant's attorney, Ms. Stephanie Seidman on Dec. 13, 2005. The following changes have been made in claims:

In claim 18, lines 1-2, after according to, delete -----any one of claims 47, 48 or 49 ----- and insert ----claim 47-----.

In claim 19, lines 1-2, after according to, delete -----any one of claims 47, 48 or 49 ----- and insert ----claim 47-----.

In claim 20, lines 1-2, after according to, delete -----any one of claims 47, 48 or 49 ----- and insert ----claim 47-----.

In claim 21, lines 1-2, after according to, delete -----any one of claims 47, 48 or 49 ----- and insert ----claim 47-----.

In claim 22, lines 1-2, after according to, delete -----any one of claims 47, 48 or 49 ----- and insert ----claim 47-----.

Art Unit: 1625

In claim 24, lines 1-2, after according to, delete -----any one of claims 47, 48 or 49 ----- and insert ----claim 47-----.

Claims 2-16 and 18-27 depend upon higher numbered claims 44-47 and therefore, claims are renumbered as following:

Claims 44-47 are renumbered as claims 1-4, respectively.

Claims 2-16 are renumbered as claims 5-19, respectively and their dependencies are corrected accordingly.

Claims 18-27 are renumbered as claims 20-29, respectively and their dependencies are corrected accordingly.

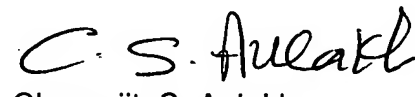
5. Claims 44-47, 2-16 and 18-27, renumbered as claims 1-29, respectively are allowed.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charanjit S. Aulakh whose telephone number is (571)272-0678. The examiner can normally be reached on Monday through Friday, 8:30 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang can be reached on (571)272-0562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Charanjit S. Aulakh  
Primary Examiner  
Art Unit 1625